TRIAL OF MARY LINCOLN

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Mary Todd Lincoln

Trial of Mary Lincoln

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The Trial of Mary Lincoln

Robert Todd Lincoln . . . had his mother committed to sanitarium.

Was the Widow of Civil War President Insane? A Chicago Court Ruled That She Was. Now, a New Book Infers That Politics Influenced Decision

By James A. Rhodes and Dean Jauchius

Puhlished this month, a new book, "THE TRIAL OF MARY TODD LINCOLN," by James A. Rhodes and Dean Jauchius (Bobbs, Merrill, $3.95) asserts that the insanity trial of President Lincoln's widow in 1875 was rigged for political reasons.

The authors' conclusions are at odds with the report of The Tribune on the day following the hearing, which said:

"So feeble had become the state of her mind, and, as a consequence, so eccentric her nature and habits of life, that Saturday last a council of a group of leading physicians of the city and her personal friends was held to see what was best to be done for her. . . . From the uncertainty of her demeanor it was felt that something was necessary to be done to protect her life from her own hands, and to secure her from bodily harm."

And Ruth Painter Randall, widely known authority on Mrs. Lincoln, says in her book, "Lincoln's Sons":

". . . She was in a highly disturbed nervous condition and would not go to Robert's home as he begged her to do. He . . . took a room . . . adjoining hers and stayed there to look after her. During the following nights his sleep was frequently broken by her tapping at his door . . . to tell him of her fears. She thought people were trying to get at her, to injure her, and told wild tales of attempts to rob and poison her."

Herewith is the first chapter of "The Trial of Mary Todd Lincoln," an interesting presentation of a seldom cited incident in our nation's history.

A LITTLE MORE than 10 years after the death of her martyred husband, Mrs. Abraham Lincoln was placed under arrest, taken into custody under threat of violence, hailed summarily into a courtroom—before a jury already impaneled, sworn and waiting—tried, found insane, ordered confined in an institution, and stripped of approximately $56,000.

By nightfall of the following day, she sat alone in the gloom of a room with barred windows, branded by court order as "Mary Lincoln, Lunatic." And in the enforced solitude of that room, she could contemplate that she had been made the victim of an elaborately contrived and smoothly executed plot to put her away. She could ponder the fact that three of the men involved most prominently in that plotting had been intimate friends of her late husband. Indeed, two of them had maneuvered for him the Republican Presidential nomination of 1860 and then prodded and pushed him down the political trail to the White House.

Mary Todd Lincoln could think, too, that this scheme which they had planned so carefully against her had, to achieve its end, required denial of every constitutional and statutory right afforded the accused. And she could reflect, bitterly, that it had utilized as its primary instrument her eldest and only surviving son.

It actually happened.

The place was Chicago, Ill.

The day was Tuesday, May 19, 1875.

The first sound of it, for Mary Todd Lincoln, anguished widow, was a knock at the door of her room in the Chicago Grand Pacific hotel.

The time was about 1 p. m. Here are the facts:

When Mary Lincoln opened that hotel room door, three people greeted her. They were a delivery boy, Leonard T. Swett, a prominent Chicago lawyer who had helped secure the Presidential nomination for Abraham Lincoln at the convention of 1860, and Samuel M. Turner, manager of the hotel.

The hundle boy delivered eight pairs of lace curtains which Mary Lincoln had purchased earlier. He left immediately. Swett entered the room followed hy Sam Turner and advised Mrs. Lincoln that she was under arrest.

Mary Lincoln was ladylike but firm. The contention that she was insane was preposterous. She was abundantly able to care for herself. Where was her son, Robert? Who claimed she was insane?

Swett told her that Robert was waiting for her at the courtroom. He advised her that it was her son who had filed the affidavit necessary to bring her to trial. He said Judge David Davis, conservator of her late husband's estate and the most prominent manipulator in Lincoln's behalf at the national convention of 1860, believed her crazy. So did John T. Stuart, mayor of Springfield and her cousin, he added. So did he, Swett, and so did five physicians.

Mary Lincoln decided stubhornly that she would not go with Swett to the courtroom. Swett said she had no choice in the matter. She could either go peaceably with him, or be handcuffed and taken forcihly hy two officers now waiting downstairs.

Isaac N. Arnold

Leonard T. Swett

Mary Lincoln wept then. She threw up her hands and prayed, and called upon Abraham to release her and drive Swett away. And then she gave in.

The carriage took Mary Lincoln and her custodian to the Criminal court and county jail building at West Hubhard and North Dearborn streets. A second carriage, bearing the two officers, Turner and Ben Ayer, serving with Swett as counsel for Robert Lincoln, followed them.

It must have been nearly 3 p. m. when the party arrived at the courtroom.

At any rate, a jury composed of 12 prominent Chicago husiness and professional men, most of them friends of Robert, had been impaneled, sworn, and waiting since 2 o'clock.

Swett went immediately to Robert, told him how his mother had denounced him at the hotel and testified that he said: "We must act as tho we were her friends and come sit beside her and do everything as tho she was sane."

Robert walked to his mother, and she received him kindly. Swett says he told Mrs. Lincoln that she was entitled to counsel, that Isaac N. Arnold, her old friend, was present, and that "he was your husband's friend and maybe you would rather have him and Robert sit heside you than have a stranger hrought in here."

Mary Lincoln agreed and Swett soon had Arnold sitting with her.

Swett says he then went to Ben Ayer and advised his colleague that the experience with Mrs. Lincoln had tired him. He urged Ayer to take over.

But as they were conversing, Arnold, who had conferred hriefly with Mary Lincoln, approached them and expressed douht ahout the propriety of defending Mary. He expressed a belief that she was insane.

"This means," Swett says he retorted, "that you will put into her head that she can get some mischievous lawyer to make us trouhle; go and defend her, and do your duty."

The well-oiled courtroom machinery, waiting and ready, got into motion im-

Chicago Daily Tribune
3/22/1959

Mary Todd Lincoln . . . found jury picked, judge ready when she arrived for sanity hearing.

mediately. On the bench was Judge M. R. M. Wallace, a Democrat and known political enemy of the late President Lincoln. He observed that the trial was a hearing on an application to try the question of the sanity of Mrs. Lincoln, and to appoint a conservator.

Robert Lincoln's petition, he told the jury, represented to the court that Mary Lincoln, widow of Ahraham Lincoln, deceased, and a resident of Cook county, was insane, and that for her benefit and for the safety of the community she should be confined.

The petition also prayed that a conservator be appointed to manage and control Mary Lincoln's estate, and estimated it to be valued "not exceeding $75,000."

Robert Todd Lincoln's position was that he should be named conservator.

Specifically, then, Robert Lincoln wanted the court to do two things: 1. Send his mother to an asylum. 2. Permit him to take over her estate.

To support his contention that his mother was a lunatic, Robert Lincoln had summoned 17 witnesses. There is reason to believe that all of the witnesses had been present at pre-trial conferences.

By way of contrast, Mary Lincoln, the accused, had not even been given time to select her own defense attorney. One had conveniently been provided for her. She had heen given no opportunity to summon friendly witnesses and no time to prepare a defense against a charge and testimony to support it which had been carefully assembled over a three week period.

She had been denied the statutory right of participating in the selection of the jury of her peers thru interrogation of prospective jurors and the exercising of peremptory challenges which might he deemed to be in her best interests.

In the next three hours a parade of 17 witnesses piled up a mountain of damaging testimony, loaded with hearsay and with conclusions by those testifying. The right of cross-examination was not invoked.

Ayer had conducted the case for the plaintiff so far. Now that the final witness, Robert Todd Lincoln himself, had finished, Swett took over again. He presented the final argument for the plaintiff to the jury, saying that it was too had about Mary Lincoln, hut she was plainly deranged and must be put away. He called for a quick verdict and got it.

The jurors deliherated for perhaps a full two minutes and found Mary Lincoln insane. The specific wording of the verdict which they managed to prepare and sign in that brief space of time was:

"We the undersigned, jurors in the case of Mary Lincoln who is alleged to be insane, having heard the evidence adduced, are satisfied that the said Mary Lincoln is insane, and is a fit person to be sent to the State Hospital for the Insane: that she is a resident of the county of Cook, in the state of Illinois; that her age is 56 years; that her disease is of unknown duration; that the cause is unknown; that the disease is not with her hereditary; that she is not subject to epilepsy; that she does not manifest homicidal or suicidal tendencies, and that she is not a pauper."

The court's first decision was quite prompt. Judge Wallace immediately ruled:

"Whereupon, upon the verdict aforesaid, it is considered and adjudged by the court that the said Mary Lincoln is an insane person, and it is ordered that said Mary Lincoln be committed to a state hospital for the insane, and it is further ordered that a summons be issued to the said Mary Lincoln commanding her to appear hefore this court and show cause if any she has or can show why a conservator should not be appointed to manage and control her estate."

In less than five hours—one hour and 10 minutes of this time consumed by Mary's argument with Swett in her hotel room—Ahraham Lincoln's widow had heen arrested, tried, found guilty, and ordered imprisoned. Now it remained for her to be relieved of her wealth. Swett, instigator, architect, arresting officer, custodian, and prosecutor, now took it on himself to perform this chore.

From the moment of her entry into the courtroom, Swett testifies, "she never spoke." Now, she sought to evade this final surrender of what she called "these bonds I have saved for my necessities in my old age." Swett threatened force again. He pointed out that he could get an order of writ or have her sheriff take them forcibly from her. He asked her to turn them over to Robert.

Mary refused. Robert, she said, could never have anything that belonged to her.

Swett suggested that she turn the securities over to Arnold. Mary suggested that it *(Continued on Page 45)*

at Second Trial—She's 'Sane'

Did Son Robert's Action Wreck His Political Future? Yes, Say Authors of New Book

(Continued from Page 19)

be done in her hotel room. "It is so hot here."

At her room in the Grand Pacific they took them from her.

Mary Lincoln was not sent to the state hospital for the insane, as was suggested by the jury's verdict. Instead, she was taken to Bellevue place sanitarium, a private institution owned and operated by Dr. R. J. Patterson at Batavia, Ill.

The second trial got even less attention than the first. It, too, had the same peculiar flavor as the first. It lasted less than three minutes. Mary Lincoln was found restored to reason and given her freedom. Her lawyer was Leonard Swett!

Mary Todd Lincoln regarded the entire episode as simply a plot to get her money, and she said so. However, in the light of subsequent events, this explanation reeks too much of the easy answer. Her release was managed within one year and one month by the very man who first suggested the plan to put her away. Her money was returned to her, with a scrupulous accounting by her son.

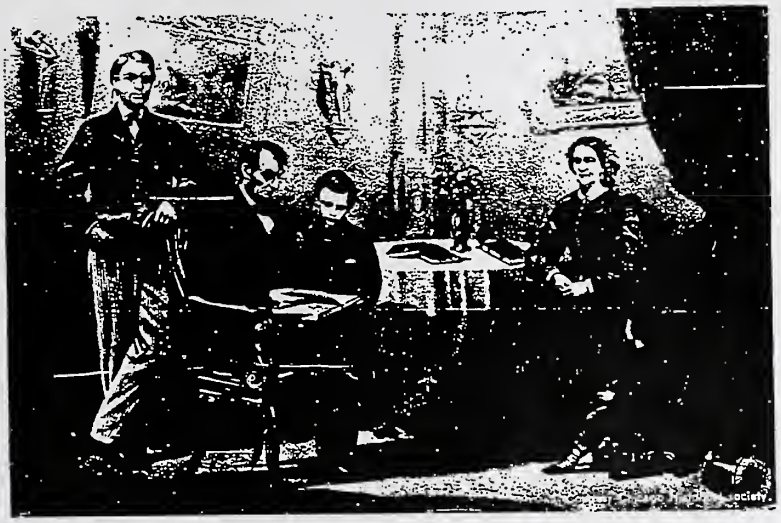
Historians have tended to regard the episode of the first trial as a painful incident in the life of a tragic figure who had suffered such blows that they deranged her. Granted that Mary Lincoln possessed more than a few eccentricities, it is not to be assumed that she was possessed by them.

In Mary Lincoln, much more so than in most people, the eccentricities are understandable. Her search for love and understanding after the death of her husband and three of her four children seemed a futile one. She turned for friendship to the clerks in stores which she patronized. It is an understatement to remark that there was a "misunderstanding" between Mary Todd Lincoln, the lonely widow, and Mary Harlan Lincoln, Robert's wife. The feeling was sufficiently strong to prevent Robert's mother from visiting his home in Chicago.

If Leonard Swett, Isaac N. Arnold, and Judge David Davis had been such close friends of Abraham Lincoln, why would they now turn on his helpless widow and railroad her into an asylum? And why would her own son permit himself to be a part of it? Would not that do more damage than service to Lincoln's memory?

None of these three men had changed in their attitudes toward Lincoln. They defended his good name with eloquent ferocity when it came under attack after his assassination.

Indeed, the very existence of such stark contrast between



A composite photograph of the Lincoln family in Washington. Robert is at the left, Tad beside his father, and William, who was actually older than Tad, by his mother.

Lincoln's known somber honesty and outspoken integrity and the conditions brought on by spoilers and looters in power 10 years later is what suggests a much deeper and more basic political motive for the day of infamy in Mary Lincoln's life.

While Lincoln lived, Springfield and Chicago had become the political capitals of the nation. Illinois men ruled the political roost. Now, since his death, and owing to the flow of favors from the fountainhead of power in the White House, the geographical center of political power was shifting eastward into Ohio, even as the center of population shifted westward to the Buckeye state. The spoils system, and excesses in Washington, had brought men honestly devoted to Lincoln and his integrity up short.

A grave split ripped thru the new Republican party. Stanch supporters of U. S. Grant, or of what Grant stood for, became known as Stalwarts. The reformist wing was composed of men who became known as Liberal Republicans, sometimes called half breeds.

Judge David Davis, the old manipulator who traded his way to the nomination of Abraham Lincoln in 1860, turned furiously on the men whom he believed to be destroying his party's integrity. In 1872 he secured nomination as the National Labor party's candidate for President and sought nomination by the Liberal Republican party at that convention in Cincinnati in June.

There is strong suspicion that he intended to obtain indorsement of his candidacy by the Democratic national convention and by the Liberal Colored Republican convention. But the Liberal Republican convention stopped him cold, nominating Horace Greeley, distinguished editor of the New York Tribune, instead.

Greeley went on to win the Democratic national convention nod and the approval of the Liberal Colored Republicans only to lose to the popular hero of Appomattox in the fall election.

If Grant had overcome the liberal wing, however, he had not overcome the resentment of its members. As 1876—the next convention and election year—approached, Grant began to speak of a third term. There was too much objecting in the press, however, and the Stalwarts began to cast about for a successor.

Robert Todd Lincoln, a stalwart Stalwart who gave unstintingly of his loyalty to the Grant crowd, was yet too much of a sapling for Presidential timber, but the name was political magic. It could be used.

Robert Lincoln said he regarded Judge David Davis as a second father. There is evidence that Davis had a similar, reciprocal affection for Robert. But no affection, not even devotion to Abraham Lincoln, ever swayed Davis from resorting to manipulations to achieve victory in a political fight, and now Davis, an independent turning Democrat, was in a fight.

How to damage Robert Lincoln to prevent him from enjoying a political sleigh ride, or providing one for the spoilers, on his father's name? How to do it and yet leave the sacred memory of Abraham Lincoln stainless?

It makes sense that they found their way to eliminate Robert Lincoln as a serious political factor in the drumhead sanity hearings on May 19 and its aftermath. They advised Robert Lincoln to push for his mother's commitment; they helped him make the arrangements and collect his witnesses.

Swett made the arrest, helped prosecute the case.

Thus Robert Lincoln became the man who committed his mother to the insane asylum.

After a few months she was "paroled" from the mental hospital to her sister's home in Springfield. Evidently she was not very crazy.

On June 15, 1876, James G. Blaine, a Grant Stalwart, was beaten in a strong bid to obtain the Presidential nomination. Gov. Rutherford B. Hayes of Ohio, a man of reformist sentiments, wrested the nomination away from Col. Robert G. Ingersoll's "plumed knight" on the seventh ballot, and the reign of the spoilers was apparently over.

And later in that same day, June 15, Mary Todd Lincoln was adjudged sane and her property restored to her control in a proceeding which occupied, according to The Chicago Tribune of the following day, "but a few minutes." The timing is suggestive.

The second sanity hearing, which declared Mary Todd Lincoln of sound mind and capable of handling her own property, must have been as well arranged as the first. It lasted less than five minutes. Leonard Swett this time was on the other side of the fence and represented her. There was no opposition.

Robert Todd Lincoln became James A. Garfield's secretary of war, an appointment which clearly represented a concession to the Stalwarts.

The name of Robert Lincoln was mentioned vaguely here and there in 1881 and 1882 as a Presidential possibility for 1884, but there seems to have been some stigma attached to his name by then. There is ample reason to identify it as the fact that he had sent his anguished mother to a lunatic asylum.

In a larger sense, the trial of Mary Lincoln was much more than her first trying ordeal in that Chicago courtroom in 1875 or her second brief encounter with a most peculiar brand of justice in 1876 only hours after the Stalwarts had been beaten in their bid to retain a firm grip on the White House. These were but small persecutions in a much longer trial which commenced for her on the somber morning of April 15, 1865, when Abraham Lincoln drew his last breath.

Mary Todd Lincoln passed away July 16, 1882, at Springfield, Ill., after lapsing into a coma which modern men of medicine generally believe to have been diabetic. Death came to her in a cheerful room of the house in which she and Ahraham had become husband and wife.

The trial of Mary Todd Lincoln, therefore, did not span a few infamous hours. It lasted for 17 years and three months, and the verdict of history is that she was innocent.

'Trial of Mary Todd Lincoln'—Fact or Fancy

BY TONY WEITZEL

IT'S HAPPENING with books now. TV has its adult Westerns. Latest item on the spring nonfiction list is a sort of adult MID-Western devoted to the notion that Robert Lincoln railroaded his mother into an 1875-model booby hatch.

Title of the book: **"The Trial of Mary Todd Lincoln."** The authors, James A. Rhodes and Dean Jauchius, make no pretense to great Lincoln scholarship.

WEITZEL

Rhodes is former mayor of Columbus, Ohio, and present Ohio state auditor. Jauchius, a former newspaperman, works in the auditor's office.

* * *

THEIR BOOK is short, 200 pages. It's highly readable. The first part relates, in punchy journalese, the circumstances surrounding Mrs. Lincoln's commitment to an asylum in May, 1875.

The second re-creates the courtroom scene in fantasy, attempting to show what might have happened if Mrs. Lincoln's attorney had "defended" her.

* * *

THE FACTS ARE simply told. In May, 1875, with the help of political friends, Robert Lincoln had his mother committed to an institution for the mentally ill at Batavia.

Why? Rhodes and Jauchius suggest that these "false" political chums wanted to discredit Robert Lincoln to undermine his political power.

They anticipated, the book insists, that the public would raise a storm of protest. The public did raise a storm, for the record. And a few months later, Mrs. Lincoln was paroled to her sister in Springfield. A year later, the insanity count was reversed.

Today's book review is by Daily News Columnist Tony Weitzel. Van Allen Bradley, Daily News literary editor, will resume his book column on his return from vacation.

Lincoln scholars here in Chicago's cloister of Lincolniana take a dim view of the book. Dr. Otto Eisenschiml, distinguished chemist and author of many Lincoln works, grumbled, "I doubt Mrs. Lincoln was railroaded. I've been asked to write on this subject and have always refused. This is a subject I don't want to dirty my fingers with.

* * *

"IN SUCH a situation everybody is right and everybody is wrong. I have no particular love for Robert Lincoln. But in this case what could he do? He saw his mother ridden by hallucinations. She threw her money away. She appeared in her hotel lobby in her nightdress. She had all the symptoms of insanity. He felt he had to protect the family name."

The book, points out Ralph Newman of the Abraham Lincoln Book Shop, himself a world-famed Lincoln scholar, has many small inaccuracies. It refers to "Nancy" Rutledge. And to the "Nicholas" hotel in Springfield.

"Robert Lincoln," says Newman, "was a terribly misunderstood man. He was shy. He had only one of his father's traits, a sense of humor. Once he declined a chance to run for the presidency with what now seems a prophetic remark.

MARY TODD LINCOLN
Hers a troubled life.

"He said, 'I don't want to be President. It might interfere with my GOLF!' "

* * *

ALWAYS, says Paul Angle, director of the Chicago Historical Society, Robert Lincoln was a shy, sad man. As a lad, he was criticized in the public prints for going to Harvard when he might have fought in the Army.

And on that fatal night when Abe Lincoln went to Ford's theater, Robert was invited. He declined. Said he was too tired. But he was still awake when word of the shooting was brought to the White House.

In the months that followed, Robert Lincoln went often to the closed playhouse, stood in gloomy reverie staring at the box where he might, if he had gone that night, have prevented John Wilkes Booth's infamy.

These are things, the scholars say, that must be considered when you assay the strange lives of Robert and Mary Todd Lincoln. They don't think the book's startling conclusion is true. They think Robert acted only to protect his mother, and the family name.

Chicago Tribune
March 25, 1959

The Day Mrs. Lincoln Went on Trial!

TEN YEARS AFTER

A SEARING ORDEAL!

By Patrick Butler

Ninety years have passed since a Chicago court adjudged Abraham Lincoln's widow insane and ordered her committment to a lunatic asylum. Yet, for many, the final verdict of history may forever remain deadlocked in a hung jury!

While there is little doubt the first lady of the Union was at least eccentric. a quiet kind of controversy has long been waged over whether she was actually a lunatic or merely a hapless pawn in the often brutal game of Reconstruction era Presidential politics.

ing in an enemy army, all combined to grind a naturally vivacious that Mary Todd Lincoln suf fered from psychological disorders which today would have at least made her a prime candidate for the psychiatrist's couch. The loss of her two sons through illness, the murder of her husband, the calumnies of social reptiles, and the strain of being a wartime first lady with close relatives serv-

Most historians and laymen familiar with the case are agreed personality into a frightened mental wreck who once accused her son, Robert Todd Lincoln, of trying to murder her as he led her back to her hotel room after she started heading for the lobby in her nightgown.

In march of 1875, she had sent a telegram from Florida to Robert Lincoln's doctor stating that "My belief is that my son is ill. I start for Chicago tomorrow".

Despite assurances that he was in perfect health, Mrs. Lincoln arrived in Chicago on March 15. Although Robert had done every thing to try and persuade her to stay at his home, she insisted on taking a room at the Grand Pacific Hotel. Concerned for her welfare, Robert occupied the adjoining suite only to be awakened several times a night to hear her relate an unshakable conviction that people were plotting to rob and poison her.

In her calmer moments, she went on shopping expeditions, bought scads of things for which she had no possible use, and, when pressed by Robert for a reason, explained that "It gives me pleasure to own them".

This pleasure, if not great, was at least extravagent. One day, for example, she spent $450 on three watches, $700 for some jewelry, $200 for soaps and perfumes, and threw in 17 pairs of gloves, three dosen handkerchiefs and several bolts of lace for good measure.

Toward the end of April, she showed her son $57,000 in securities she was carrying around in her pocket.

Fearful that his mother might be robbed, victimized by a con artist, or ven dissipate her $73,000 fortune, and recognizing that rest protection and medical care were what she needed most, Robert Lincoln reluctantly petitioned the Cook County Court for a sanity hearing.

At 1:00 p.m. on the afternoon of May 19, 1875 - an hour before the trial was scheduled to start - attorney Leonard Swett, an old family friend, broke the news to Mrs. Lincoln and took her to the courthouse.

Mrs. Lincoln sat in shocked silence as she heard several doctors express their opinion that she was insane, several laymen recount her strange behaviour, and her own son describe what had been heppening since she arrived in Chicago two months before.

After three hours of testimony, the jury returned a verdict of insanity and Robert Todd was named conservator of her estate.

The day after the rearing, she stole away from her hotel room, went to a drugstore and demanded a bottle of laudanum and camphor, (a poisonous substance if taken in sufficient quantities).

The pharmacist, recognizing the former first lady, gave her a bottle of harmless camphor water which she gulped down as soon as she stepped outside, thinking she was taking a lethal dose of poison.

Hours later, convinced her son had railroaded her into a lunatic asylum so he could get control of her estate, Mrs. Lincoln arrived at Bellvue Place, a private sanatorium in Batavia, Ill. operated by a Dr. R. J. Patterson.

Although every detail of the trial had been given excellent press coverage, a withering fusil lade of nation - wide criticism was leveled on Robert Todd Lincoln for putting his mother away.

In September, she was released to the custody of Mr. and Mrs. Ninian Edwards of Springfield and, ironically enough, went to live in the same house where she had married Lincoln 32 years before.

On June 15, 1876, another sanity hearing was held at the request of Ninian Edwards in which Mrs. Lincoln was found to be "restored to reason."

The fact that Mrs. Lincoln was freed so quickly - little more than a year after she was represented as such an utterly hopeless case - gave rise to a theory that her son may have been duped into committing her by factions intent on destroying his future influence on national politics.

Republican opponents of the Grant clique, aware of Lincoln's intimacy with the general, allegadly reasoned that the rising young Chicago lawyer would lend his politically magic family name to strenghen the position of Grant's followers.

Coincidentally, Mrs. Lincoln was declared sane on the very day that Gov. Rutherford B. Hayes of Ohio defeated James C. Blaine, the choice of the choise of the Grant administration for the Republican nomination!

Whether or not politics actually played a role in Mrs. Lincoln's last great great ordeal will probably never be known. What is certain, however, is that Robert Lincoln never really recovered from the experience of being cursed by a mother he was trying to help, damend by a nation for which his father had died, and perhaps used in the most callous way by a band of political jackals.

Indeed, the trial of Mary Todd Lincoln may forever remain another mysterious chapter in the story of one of the most tragic families in American history!

The Voice
Nov 11, 1965

Q. I read in a recent issue of The Sun-Times that the office of Morgan Finley, clerk of the Cook County Circuit Court, is in the process of destroying old documents. As an autograph collector I was wondering how I can go about getting signed documents by any or all of the following people: Charles Comiskey, William Wrigley Sr., P.K. Wrigley, A.J. Spaulding, Mayor Richard J. Daley, and any other sports or political personalities. LARRY ROSEN, Glenview

Chi. Sun-Times 9-2-'77

A. Court records cannot be given away or sold, regardless of their interest or value, Finley told us. In any event, the files under order to be destroyed "are very minor court files," according to Finley. A Historical Archives Committee has been established to review all documents and will establish a facility for public viewing of historic papers. Sun-Times reporter Bill Granger wrote in July that the 12 miles of shelving contain "the raw stuff of history," including transcripts from the Leopold and Loeb trial, where the great lawyer Clarence Darrow defended the killers of young Bobby Franks; the will of Mother Cabrini, and the commitment papers of Abraham Lincoln's wife, Mary Todd Lincoln. The records go back to the year of the Great Chicago Fire, October, 1871, and had to be reduced because of the growing number of court records.

VanHorn, Cindy

From: Andrew Liegey [Andrew@toastermediainc.com]
Sent: Tuesday, September 10, 2002 10:05 AM
To: VanHorn, Cindy
Subject: Re: Your information request

Cindy,
I just received notice from Cook County Circuit Court that the file for Mary Todd Lincoln was closed and sealed in 1996. I was also reassured from the gentleman that runs the archives that the file processes no testimony and that if there had been it was probably pilfered a long time ago as they didn't start archiving court cases till 1972. The file apparently contains only information relating to her estate which had some legal issues involved as when the President died the estate was left in testate. He did however suggest pursuing it through the University of Chicago, and I intend, as I mentioned in my last email, to pursue receiving a copy of Mr. Neely's "The Insanity File". I am guessing that at this point if this information existed then it is lost, and I will be forced to really create fiction from what I can piece together from Mr. Neely's book. Thank you once more for your time.
Sincerely,
Andrew Liegey

www.chicagotribune.com/news/local/breaking/chi-cook-county-losing-mary-todd-lincoln-commitment-papers-20111101,0,3849430.story

chicagotribune.com

Cook County donating Mary Todd Lincoln commitment papers

Associated Press

4:52 AM CDT, November 1, 2011

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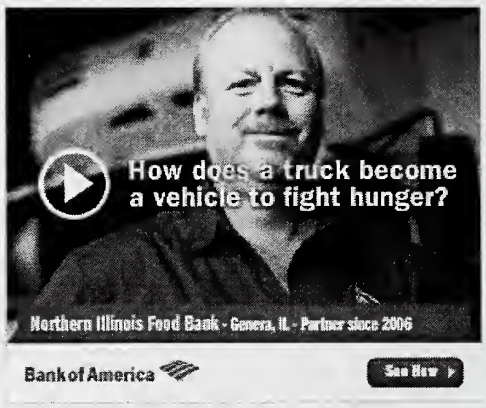
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SPRINGFIELD — Original Cook County court papers that documents former first lady Mary Todd Lincoln's commitment to an insane asylum will be preserved at the Abraham Lincoln Presidential Library and Museum.

The papers are from 1875 and 1876 and still on file with the Cook County circuit clerk. Among the pleadings and vouchers are the petition by Mary Lincoln's son, Robert, to have his mother declared insane; a subpoena and summons to have her appear in court; and a jury verdict decreeing her insanity.

Two state supreme court justices were researching Mary Todd Lincoln's insanity hearing for a historical re-creation of the trial when they discovered the original papers in Chicago. Circuit Clerk Dorothy Brown agreed to transfer the 135-year-old records to the Lincoln museum for preservation.

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News Democrat

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Moline aldermen vote to demolish last depot

Modern 'trial' examines Mary Todd Lincoln's sanity

Published: September 24, 2012

The Associated Press

CHICAGO — According to historical accounts, Abraham Lincoln's wife slowly went insane after his death and had to be committed to an asylum by her only remaining son. But was Mary Todd Lincoln legally insane or just ill, and was her son protecting her or protecting the family's reputation?

A "trial" on Lincoln's mental state Monday night found that she shouldn't have been committed, going by modern legal and medical standards. Prominent judges served as attorneys arguing for the two sides, and psychiatrists provided expert testimony. Actors in period costumes portrayed Mary Todd Lincoln and her son, Robert.

The event was a chance for history buffs to have a little fun, but the participants hope it serves another purpose, too.

"I think it definitely can be educational, and that's one of its objectives," said Dr. James Cavanaugh, a professor of psychiatry at Rush University Medical Center.

The people involved in the event wanted to give the audience a better sense of changes in the legal system's handling of mental illness and how medicine has evolved to treat it. The Chicago "trial" was filmed by public television and eventually will be used in classrooms, said Judge Neil Cohen, chairman of the committee that organized the event.

Mary Todd Lincoln was committed in 1875, 10 years after her husband's assassination.

Her son paid six doctors, none of whom had examined Mary Todd Lincoln, to sign statements calling her unsound. She was taken into custody without warning and tried the same day, without being allowed to choose her own attorney.

Witnesses testified that she believed someone was trying to poison her and that some sort of Indian spirit was inside her head. She shopped compulsively, often buying several of the same item but never opening them afterward. She carried valuable bonds in her petticoats.

A jury took just 10 minutes to declare her insane. She was released a few months later, however, after a campaign of public support from friends.

Ever since, experts have debated how much of the evidence against her was accurate and, if it was, what it said about her mental health.

The audience at Monday's trial got to vote on the answers, and the same format will be used at another one scheduled for Oct. 1 in Springfield.

The trials were organized by the Abraham Lincoln Presidential Library and Museum and the Illinois Supreme Court Historic Preservation Commission.